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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 740789-56330
INTERNATIONAL APPLICATION NO. PCT/GB2003/003054		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/521,232
INTERNATIONAL FILING DATE 14 July 2003 (14.07.2003)		PRIORITY DATE CLAIMED 13 July 2002 (13.07.2002)
TITLE OF INVENTION FLAVONOID COMPOUNDS AS THERAPEUTIC ANTIOXIDANTS		
APPLICANT(S) FOR DO/EO/US ROWETT RESEARCH INSTITUTE; CALDWELL, Stuart Thomas; BENNETT, Christopher James; HARTLEY, Richard Charles; MCPHAIL, Donald Barton and DUTHIE, Garry Graeme		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

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20. Other items or information:
Certificate of Mailing; Letter to Examiner; Statement under 37 C.F.R. 3.73(b) Establishing Right of Assignee to Take Action; and Return Receipt Postcard

The following fees have been submitted	CALCULATIONS	PTO USE ONLY																
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300	\$																	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))	\$																	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200	\$																	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500	\$																	
TOTAL OF 21, 22 and 23 =	0.00																	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width: 10%;">RATE</th> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x \$250</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250	\$	0.00								
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE															
- 100 =	/50 =		x \$250															
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	\$	0.00																
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">CLAIMS</th> <th style="width: 15%;">NUMBER FILED</th> <th style="width: 15%;">NUMBER EXTRA</th> <th style="width: 10%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x \$ 50</td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x \$200</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =		x \$ 50	Independent claims	- 3 =		x \$200	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE															
Total claims	- 20 =		x \$ 50															
Independent claims	- 3 =		x \$200															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360															
TOTAL OF ABOVE CALCULATIONS =	\$	0.00																
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		0.00																
SUBTOTAL =	\$	0.00																
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	\$	0.00																
TOTAL NATIONAL FEE =	\$	0.00																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$	0.00																
TOTAL FEES ENCLOSED =	\$	0.00																
	Amount to be refunded:	\$																
	Amount to be charged	\$																

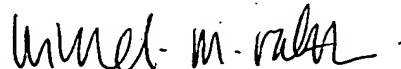
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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0850. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

David S. Resnick
Nixon Peabody LLP
100 Summer Street
Boston, MA 02110
US



SIGNATURE

David S. Resnick/Nicole L.M. Valtz
NAME

34,235/47,150

REGISTRATION NUMBER

Practitioner's Docket No. 740789-56330

PATENT

IN THE UNITED STATES RECEIVING OFFICE

PCT/GB2003/003054	14 July 2003 (14.07.2003)	13 July 2002 (13.07.2002)
International Application Number	International Filing Date	International Earliest Priority Date

TITLE OF INVENTION: FLAVONOID COMPOUNDS AS THERAPEUTIC ANTIOXIDANTS

APPLICANT(S) FOR EO/DO:

ROWETT RESEARCH INSTITUTE

INVENTOR(S)/APPLICANT(S) FOR US: CALDWELL, Stuart Thomas; BENNETT, Christopher James; HARTLEY, Richard Charles; MCPHAIL, Donald Barton; DUTHIE, Garry Graeme

U.S.S.N.: 10/521,232 ✓

MAIL STOP PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence comprising:

1. Certificate of Mailing (1 pg.);
2. Form 1390 – page 3 in duplicate (4 pp.);
3. Letter to Examiner (1 pg.);
4. Statement under 37 C.F.R. 3.73(b) Establishing Right of Assignee to Take Action (2 pp.);
5. Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers) (2 pp.); and
6. Return Receipt Postcard.

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on Sept. 29, 2005.

Linda M. Ginsberg

Signature of person mailing paper

IN THE UNITED STATES RECEIVING OFFICE

PCT/GB2003/003054	14 July 2003 (14.07.2003)	13 July 2002 (13.07.2002)
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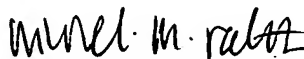
Alexandria, VA 22313-1450

LETTER TO EXAMINER

Applicants are filing herewith documents to transfer the power of attorney in the above-captioned application, namely a Statement Under 37 C.F.R. § 3.73(b) Establishing Right of Assignee to Take Action, and a Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers). Applicants note that the "header" on the second page of the Statement Under 37 C.F.R. § 3.73(b) contains a typographical error, referring to a different application. Applicants respectfully submit that is merely a clerical error, and note that the correct application, U.S. 10/521,232, is correctly referenced on the cover page of the Statement Under 37 C.F.R. § 3.73(b), as well as on all other papers being submitted herewith. Accordingly, applicants request that the prior power of attorney be revoked, and the new power of attorney appointed, as indicated in the documents being filed herewith.

Date: September 29, 2005

Respectfully submitted,



David S. Resnick (34,235)
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(617) 345-6057/1270